

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

CHARLES PRAY,

Plaintiff,

-against-

CORRECTION OFFICER FREDERICK
BREYETTE,

Defendant.

**STIPULATION AND ORDER
OF PARTIAL
DISCONTINUANCE
PURSUANT TO FRCP 41(a)**

9:20-CV-1585
(GLS/ATB)

IT IS HEREBY STIPULATED AND AGREED, by and between the undersigned, the attorneys of record for plaintiff and defendant, Correction Officer Frederick Breyette, that whereas no party hereto is an infant or incompetent person for whom a committee has been appointed and no person not a party has an interest in the subject matter of the action, that the above entitled action be and the same hereby is partially discontinued on the following grounds and conditions:

1. Plaintiff voluntarily discontinues all Fourteenth Amendment claims in the Complaint asserted against defendant with prejudice and without damages, costs, interest or attorneys' fees;
2. Plaintiff voluntarily discontinues all Fifth Amendment claims in the Complaint asserted against defendant with prejudice and without damages, costs, interest or attorneys' fees;
3. Plaintiff voluntarily discontinues all Fourth Amendment claims in the Complaint asserted against defendant with prejudice and without damages, costs, interest or attorneys' fees; and
4. The foregoing constitutes the entire agreement of the parties.

IT IS FURTHER AGREED that this stipulation may be signed and/or executed by facsimile/electronic means and a facsimile/electronic copy may be filed without further notice with the Clerk of the Court.

Dated: Wt. Babylon, New York
January 19, 2021



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Dated: Albany, New York
January 19, 2021

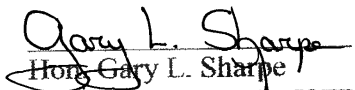
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Dated: Albany, New York
January 22, 2021

SO ORDERED:


~~Hon. Gary L. Sharpe~~
UNITED STATES DISTRICT JUDGE